

FILED

2019 MAR -1 PM 3:45

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

CLERK OF SUPERIOR COURT
TY. MEED

PROCEEDINGS BEFORE THE 84th)
ARIZONA STATE GRAND JURY) STATE GRAND JURY
IN RE:) 84th SGJ 243
GLENN GARY ROBERTSON,) CR 2019-00242
Defendant.) VENUE: COCHISE COUNTY
-----)

cc jail

Phoenix, Arizona

March 18, 2019

REPORTER'S TRANSCRIPT OF PROCEEDINGS
STATE GRAND JURY PROCEEDINGS

Lisa A. Bradley, CSR, RPR
Certified Reporter
Certificate No. 50442

(ORIGINAL)

SGJ

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methylphenidate

A P P E A R A N C E S:

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3 ASSISTANT ATTORNEY GENERAL:

4 JORDAN E. EMERSON, ESQ.

5 STERLING STRUCKMEYER, ESQ.
Assistant Attorney General

6

7 STATE GRAND JURORS PRESENT:

7

8 ALEKSANDAR PERISIC

9 BENJAMIN MCMAHON

10

STEPHEN MICHAEL

11

CHRISTOPHER BERING

12

JACK KRAHENBUHL

13

JEANETTE BALESHISKI

14

JERIMIAH MOERKE

15

ROBERT O'SHIELDS

16

17 ARLYN HUFFMAN

18 JASON WRIGHT

19 SHUBHADA KARANJIA

20 KEVIN KOSBERG

21 ANGELICA GONZALES

22 RAJAH SMITH

23

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SUPERIOR COURT

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P R O C E E D I N G S

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MR. EMERSON: Good morning. I am Assistant Attorney General Jordan Emerson, and today is March 18, 2019.

Also present is Court Reporter Lisa Bradley, and Assistant Attorney General Sterling Struckmeyer.

All members of the state grand jury panel are present, with the exception of May, Osorio, and Smith.

This is the 84th State Grand Jury 243, and again, I am Jordan Emerson, duly appointed assistant attorney general authorized by Arizona state law to present evidence before this state grand jury.

This is the investigation of a Glenn Gary Robertson.

This investigation involves alleged conspiracy to commit murder in the first degree, which occurred on or about January 1st, 2018 through on or about March 5th, 2019, in Cochise County, Arizona.

To assist you in determining whether or not probable cause exists in this matter, the following statutes may be appropriate:

And these are from Arizona Revised

SUPERIOR COURT

1 Statutes, and it's A.R.S. 13-1003, and that has been
2 read to you. The one that has not been read to you is
3 13-1105, which I will read to you now.

4 After I mark who is not here. Arizona
5 Revised Statutes, 13-1105.

6 A person commits first degree murder if;
7 One; intending or knowing that the person's
8 conduct will cause death, the person causes the death
9 of another person, including an unborn child, with
10 premeditation or as a result of causing the death of
11 another person, with premeditation, causes the death
12 of an unborn child.

13 Two; acting either alone or with one or
14 more other persons, the person commits or attempts to
15 commit sexual conduct with a minor under
16 Section 13-1405, sexual assault under Section 13-1406,
17 molestation of a child under Section 13-1410,
18 terrorism under Section 13-2308.1, marijuana offense
19 under Section 13-3405, Subsection A, Paragraph 4;
20 dangerous drug offenses under Section 13-3407,
21 Subsection A, Paragraphs 4 and 7; narcotic offenses
22 under Section 13-3408, Subsection A, Paragraph 7, that
23 equal or exceed the statutory threshold amount for
24 each offense or combination of offenses involving or
25 using minors in drug offenses under Section 13-3409;

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1 drive-by shooting under Section 13-1209; kidnapping
2 under Section 13-3404; burglary under Section 13-1506,
3 13-1507 or 13-1508; arson under Section 13-1703 or
4 13-1704; robbery under Section 13-1902, 13-1903 or
5 13-1904; escape under Section 13 of this, 2503,
6 13-2504; child abuse under section 13-3623, Subsection
7 A, Paragraph 1, or unlawful flight from pursuing law
8 enforcement vehicle under Section 23-6220.01, and in
9 the course of and in furtherance of the offense or
10 immediate flight from offense, the person or another
11 person -- flight from the offense, that person or
12 another person causes the death of any person.

13 Okay, 3, intending or knowing that the
14 person's conduct will cause death to a law enforcement
15 officer, the person causes the death of a law
16 enforcement officer who is in the line of duty.

17 B; homicide, as prescribed in Subsection A,
18 Paragraph 2 of the section requires no specific mental
19 state other than what is required for the commission
20 of any of the enumerated felonies.

21 C; an offense under Subsection A, Paragraph
22 1 of this section applies to an unborn child in the
23 womb at any stage of its development.

24 A person shall be prosecuted under Section
25 A, Paragraph 1 of this section if any of the following

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1 applies:

2 The person was performing an abortion for
3 which the consent of the pregnant woman or a person
4 authorized by law to act on the pregnant woman's
5 behalf has been obtained or for which consent was
6 applied for authorized by law.

7 Two, the person was performing medical
8 treatment on the pregnant woman or the pregnant
9 woman's unborn child.

10 Three, the person was the unborn child's
11 mother.

12 First degree murder is a Class 1 felony and
13 is punishable by death or life imprisonment and as
14 provided by Sections 13-751 and 13-752.

15 All right, 99 percent of that didn't apply.
16 We will do it anyway.

17 All righty, so I have provided all state
18 grand jurors with the new statute. Are there any
19 state grand jurors who would like to have the statutes
20 reread or clarified at this time? I take it from your
21 silence there are none.

22 To further assist you in determining
23 whether the admonitions read to you this morning may
24 apply, the following individuals may be witnesses in
25 this case:

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1 Special Agent Michael Carroll. ✓

2 The witness to testify today and again also
3 present is Sterling Struckmeyer, ✓ duly appointed
4 assistant attorney general authorized by Arizona state
5 law to present evidence before this state grand jury.
6 This matter did receive some exposure in the media.

7 And so to assist you in determining if you
8 recall any such media exposure, I will give you a
9 brief summary of the facts as alleged by the state.

10 This concerns a doctor out of Cochise
11 County, Arizona, who the state is alleging attempted
12 to conspire to have an ex-business partner murdered. ✓
13 Has anybody -- does anyone -- did you hear about that?

14 MR. MOERKE: Yeah. I saw a little bit on
15 the news, on the website, the AZ website.

16 MR. STRUCKMEYER: Anything about that going
17 to make you not fair or impartial today?

18 MR. MOERKE: No.

19 MR. EMERSON: You think whatever you heard
20 you can put to the side and determine just based on
21 the facts you hear?

22 MR. MOERKE: Yes.

23 MR. EMERSON: Anybody else? I take it from
24 your silence that you have not.

25 The admonitions read to you this morning

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1 concerning persons disqualified from serving as state
2 grand jurors are applicable. I take it from your
3 silence these admonitions do not apply to you. If at
4 any time during the presentation you believe those
5 admonitions do apply to you, please notify me
6 immediately.

7 THE FOREPERSON: We are about to consider
8 the matter of 84 State Grand Jury and the individual
9 named. In connection therewith, it is my duty to
10 state to you if any member of this grand jury has a
11 state of mind in reference to the above-mentioned
12 matter, or to any party interested therein, which
13 would prevent the juror from acting impartially and
14 without prejudice to the substantial rights of any
15 party, the juror is directed to retire from the grand
16 jury room at this time.

17 We would like the draft indictments,
18 please.

19 MR. EMERSON: The assistant attorney
20 general has prepared a draft indictment for your
21 consideration. Those admonitions read to you this
22 morning concerning draft indictments are applicable.

23 We will not purposefully say or do anything
24 in the presentation of this matter, to you, which is
25 to be construed by you as an indication of our opinion

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1 as to any fact. If you feel we have done so, you are
2 to disregard those indications. You are the sole
3 judges of the facts. Questions posed and statements
4 made by attorneys are not evidence. The evidence
5 comes from the witness stand and from the exhibits.

6 (Whereupon the witness enters the grand
7 jury room.)

8 MICHAEL CARROLL,
9 (called as a witness herein, having been first duly
10 sworn, was examined and testified as follows:)

11

12 EXAMINATION

13 BY MR. EMERSON:

14 Q Have a seat, and I will give you a minute
15 to get situated. And would you start by introducing
16 yourself to the state grand jury, please.

17 A My name is Mike Carroll, Special Agent with
18 the Arizona Attorney General's Office.

19 Q Would you give the state grand jury an
20 overview of your training and experience, please.

21 A All right. I have been a certified police
22 officer for the State of Arizona since 1995. I was a
23 Tucson Police officer, and detective for over 20
24 years. Most of my time in Tucson Police Department
25 was as a detective working various violent crime

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1 sections. In 2015 I became a special agent with the
2 Arizona Attorney General's office.

3 Q Any of the state grand jurors have any
4 questions or want any more information about his
5 training and experience? Do you have information to
6 present to this grand jury today about their proposed
7 indictment they are considering?

8 A Yes, I do.

9 Q Before you start, I would just ask you, for
10 the sake of the court reporter, to go nice and slow.

11 A I will.

12 Q Go ahead.

13 A Dr. Glenn Robinson was an internal medicine
14 doctor who had a medical practice located at 1069
15 South Highway 80 in Benson, Arizona.

16 Dr. Robinson had his license revoked by the
17 Arizona Medical Board in November of 2018.

18 Dr. Robinson had an employee at the practice by the
19 name of Amber Candelaria.

20 According to Amber Candelaria, Dr. Robinson
21 was obsessed with her and would do anything for her.
22 Candelaria stated Dr. Robinson gave her anything she
23 wanted.

24 Timothy Aviche was arrested by law
25 enforcement in an unrelated matter. While being

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1 interviewed in a custodian interview in that
2 investigation, Aviche told law enforcement
3 Dr. Robinson was obsessed with Candelaria, and over
4 the course of several months, Dr. Robinson had talked
5 about killing her.

6 Dr. Robinson was upset with Candelaria. He
7 believed she was the reason he lost his medical
8 practice, and eventually license. Dr. Robinson told
9 Aviche he had the perfect plan to kill Candelaria.
10 Dr. Robinson explained to Aviche he had a huge hole on
11 his property Dr. Robinson believed that would be the
12 perfect spot to put Candelaria's body.

13 Dr. Robinson further told Aviche that he
14 wanted to see Candelaria's face when she was killed.
15 Dr. Robinson also said he wanted to do sexual things
16 to Candelaria in the process of killing her. Aviche
17 told Dr. Robinson that he would get the Aryan
18 Brotherhood to kill Candelaria.

19 Aviche told law enforcement he told
20 Robinson this because he was tired of being bothered
21 by Dr. Robinson's -- by Dr. Robinson about the murder.
22 Aviche and Dr. Robinson agreed, when they spoke on the
23 phone about the murder, they used coded language. And
24 instead talking about getting rid of the body, AKA
25 Candelaria, they would talk about getting rid of the

1 car or cars.

2 Aviche told law enforcement that he kept
3 stringing Dr. Robinson along to rid him from having
4 someone else kill Candelaria. Aviche stated that he
5 told Dr. Robinson that he was close to the Aryan
6 Brotherhood and he knew someone who would do the
7 killing.

8 Law enforcement continued to talk with
9 Aviche about Dr. Robinson's intention to kill and
10 desire in killing Candelaria. Aviche told law
11 enforcement that he would corroborate and anticipate
12 exchange for leniency in this unrelated matter, which
13 he had been arrested on, although no promises were
14 made.

15 On February 4th, 2019, law enforcement
16 directed Aviche to set up a meeting with Dr. Robinson.
17 Aviche explained to Dr. Robinson he waited so long to
18 arrange the murder because they needed more time.

19 In the conversation, Dr. Robinson named
20 Candelaria by name, calling her Amber. Dr. Robinson
21 expressed his frustration about not being able to go
22 back to work. Dr. Robinson told Aviche he knew a lot
23 of Amber's circle of friends and habits and would
24 provide that information to the people who were going
25 to murder her.

1 Aviche asked Dr. Robinson if he wanted
2 to -- if he wanted to do this. Dr. Robinson asked, as
3 in what? Aviche responded, kill this bitch. And
4 Dr. Robinson stated, yeah. I think she should. I
5 would certainly breathe easier.

6 Dr. Robinson stated that however she goes,
7 he wanted her to know that it was being done because
8 of everything she has done to him. Dr. Robinson said
9 that he wanted to hurt her, to hurt and suffer if
10 possible. Dr. Robinson stated he wanted to watch a
11 video of her being murdered if it was possible, so he
12 could verify it was done. Dr. Robinson said that she
13 needs to feel that she is ugly before she dies.

14 Dr. Robinson said he would cut her -- cut
15 off her toes, shave her head and give her a joker
16 smile. Dr. Robinson said he was bitter because he
17 lost everything. Aviche told Dr. Robinson he was
18 going to introduce Dr. Robinson to a guy that would do
19 this.

20 Aviche told Dr. Robinson -- Aviche told
21 Dr. Robinson this is dead nuts real. Dr. Robinson, he
22 said he didn't need to be there, needs to know she
23 hurts when she goes. Aviche told Dr. Robinson the
24 people who commit the murder would need some kind of
25 payment or token of gratitude to see he was serious.

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1 The next week, F.B.I. undercover agent
2 contacted Dr. Robinson via telephone pretending to be
3 the contract killer. Aviche had contacted
4 Dr. Robinson, told the undercover agent a car was
5 giving him trouble in Tucson.

6 The undercover agent said that he needed
7 details on the car to be repo-ed, and that they would
8 be in the area later in the month and would arrange a
9 time to meet.

10 On Friday, March 1st, 2019, law enforcement
11 had Aviche set up a meeting with Dr. Robinson. The
12 purpose of this meeting was to introduce Dr. Robinson
13 for the F.B.I. undercover agent posing as Aryan
14 Brotherhood hitman. Aviche and undercover agent
15 picked Dr. Robinson from his house in Benson, Arizona.
16 They three drove to Dickies Barbecue in Sierra Vista,
17 Arizona, where Aviche got out of the vehicle, took an
18 order of food leaving Dr. Robinson and the undercover
19 agent in the car to talk.

20 Dr. Robinson told the undercover agent that
21 his entire life was totally destroyed by this one
22 girl. Dr. Robinson said he was in love with this
23 girl, although he generally was not in favor of
24 violence, the situation was different. Dr. Robinson
25 said all he did was help the bitch.

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1 He said that he stayed up at night thinking
2 about her. Dr. Robinson said that he couldn't lift a
3 finger against her himself, but there is a job that
4 needs to be filled and the other -- excuse me, the
5 undercover agent told Aviche he could do that for him.

6 Dr. Robinson gave undercover information on
7 Candelaria. Dr. Robinson showed him a photo of
8 Candelaria, as well as a picture of her driver's
9 license he had on his phone. Dr. Robinson gave the
10 undercover agents details of Candelaria's life,
11 including where she goes, what she does and who she
12 spends time with.

13 Dr. Robinson pulled up a map on his phone
14 and showed the undercover agent houses she may be at.
15 Dr. Robinson told the undercover, generally he is not
16 eye for an eye kind of guy, but this was bullshit and
17 there was no way he could get his life back.

18 Dr. Robinson told the undercover that he
19 wanted the car to know why this was happening to her.
20 Dr. Robinson stated that he could be there and he
21 could cut the battery cables if he had to.

22 Dr. Robinson stated he wanted anyone
23 else -- he did not want anyone else to drive it again.

24 The undercover agent clarified with
25 Dr. Robinson telling him gone is gone, no buyer's

1 remorse, to which Dr. Robinson replied nope.

2 Dr. Robinson said he would be able to sleep
3 at night knowing what had happened. Dr. Robinson said
4 that he would love to get some pay back and take care
5 of it himself but at the same time he needed to
6 minimize his risk. Dr. Robinson said he wanted
7 revenge and reiterated he would cut the battery cable,
8 that he would look into her eyes and do it.

9 Dr. Robinson said he had a quad and
10 mini-bike at Mario's house, a friend of Candelaria,
11 and that that friend was supposed to be fixing it.
12 But he didn't think he was going to be able to repo or
13 get those back here either.

14 The undercover agent told Dr. Robinson they
15 would need a small payment or token to show he was
16 serious about this. Dr. Robinson expressed concern
17 about having any money to pay, and then the undercover
18 asked, do you have anything else you could give him,
19 like a gun?

20 Dr. Robinson stated that he had a scoped
21 hunting rifle that was not traceable. Dr. Robinson
22 stated that he feared giving the undercover the rifle
23 before the job was done, as he had been taken in the
24 past. The undercover agent explained to Dr. Robinson
25 he would have to trust him. Dr. Robinson again said

1 he wanted the car to be gone gone.

2 He said that if it was possible, he wanted
3 to see the look on her face as it was happening. He
4 said he would have no problem watching and he could
5 sit back, eat some popcorn and enjoy.

6 The conversation then ended and the two
7 went inside of the restaurant and ate with Aviche.
8 The three men -- the three then drove back to
9 Dr. Robinson's house where he went inside, retrieved
10 the rifle and he gave it to the undercover agent as
11 payment for the murder. The agent valued the rifle
12 between \$500 and \$1,000.

13 On March 5th, 2019, law enforcement had
14 Aviche reach out to Robinson to set up a meeting.
15 When Aviche went to Dr. Robinson's house, the doctor
16 came outside, and at that time law enforcement
17 arrested him.

18 Dr. Robinson was taken into custody and
19 agreed to answer questions for law enforcement.
20 Dr. Robinson stated that he only wanted his property
21 back, and for Amber to stop bothering him.

22 Although he later admitted he -- it had
23 been many months he had contact with her.
24 Dr. Robinson explained that he had only given the
25 undercover agent the rifle as down payment for his

1 property.

2 Dr. Robinson stated when he was talking
3 about repossessed cars, he was only talking about his
4 getting his quad back, although he did not share those
5 statements with the statements that he wanted the car
6 to be gone gone. Dr. Robinson admitted he liked the
7 idea of seeing Amber hurt, but he could not do that
8 himself. Dr. Robinson stated that Amber ruined his
9 life.

10 That is all the information I have.

11 MR. EMERSON: Does the state grand jury
12 have factual questions for this witness?

13 MR. MOERKE: Was -- what was the -- excuse
14 me. Prior to the conversations, what was the
15 relationship between Aviche and Robinson, how did
16 they --

17 MR. EMERSON: To the extent that you know.

18 THE WITNESS: Okay. The only information I
19 have is they have a dual relationship/friendship, and
20 this is according to Avichi's friendship, and a
21 patient relationship through his practice.

22 MR. MOERKE: Okay.

23 THE WITNESS: Several years.

24 MR. EMERSON: Any other factual questions?
25 Seeing no additional factual questions, Special Agent,

SUPERIOR COURT

1 you are excused and admonished that Arizona law
2 prohibits you from discussing your testimony here
3 today with anyone other than the prosecution. Please
4 step outside and have a seat in the waiting room.

5 (Whereupon the witness leaves the grand
6 jury room.)

7 MR. EMERSON: Please let the record reflect
8 Special Agent Mike Carroll has left the room.

9 Any legal questions? Seeing no legal
10 questions, please deliberate and decide which options
11 you wish to pursue.

12 (Whereupon the Attorney General and the
13 Court Reporter leave the grand jury room, and the
14 following proceedings were had:)

15 THE FOREPERSON: The clerk may now read the
16 grand jury findings.

17 THE CLERK: The grand jury, with 13 members
18 present and only members of the grand jury present
19 deliberated upon evidence, and with 13 jurors voting
20 by a vote of 13 to zero returned a true bill.

21 MR. EMERSON: We are off the record.

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SUPERIOR COURT

P R O C E E D I N G S

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(Whereupon Judge Rea enters the courtroom
and the following proceedings were had.)

PRESENT:

HEATHER LIVINGSTONE, ESQ.

JURORS:

ALEKSANDAR PERISIC

BENJAMIN MCMAHON

STEPHEN MICHAEL

CHRISTOPHER BERING

JACK KRAHENBUHL

JEANETTE BALESHISKI

JASON WRIGHT

KEVIN KOSBERG

ANGELICA GONZALES

SUPERIOR COURT

1 RE: RETURN OF INDICTMENT:
2

3 THE FOREPERSON: Your Honor, 84 State Grand
4 Jury 243, a true bill. My signature appears on the
5 indictment endorsing it a true bill.

6 MS. LIVINGSTONE: Attorney general requests
7 venue be set in Cochise County, for purposes of trial,
8 and this is notice of supervening indictment.

9 THE COURT: It is ordered directing the
10 Clerk of the Superior Court for Maricopa County to
11 transfer all documents in this case to the Clerk of
12 Superior Court for Cochise County, and for the Clerk
13 of the Superior Court in Cochise County to assign this
14 case a criminal number and notice of supervening
15 indictment shall issue.

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SUPERIOR COURT

C E R T I F I C A T E

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I, LISA A. BRADLEY, do hereby certify that the foregoing 21 pages constitute a full, true and accurate transcript of all proceedings had in the foregoing matter, all done to the best of my skill and ability.

Dated this 21st day of March, 2019, in Phoenix, Arizona.



Court Reporter

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